

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

MARK L. KROTOSKI (CSBN 138549)
Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7102
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR 07-218 JSW
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME
v.)	
)	
ERNESTO OSEGUERA-OCHOA aka)	
JOSE ANDINO-OCHOA,)	
)	
Defendant.)	

On May 24, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from May 24, 2007 to June 21, 2007 for effective preparation of counsel, in that defense counsel has recently been appointed and requires time to review discovery. The parties represented that granting the continuance was necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO STIPULATED:

SCOTT N. SCHOOLS
United States Attorney

DATED: May 29, 2007

/s/
DENISE MARIE BARTON
Assistant United States Attorney

DATED: May 29, 2007

/s/
RONALD C. TYLER
Attorney for ERNESTO OSEGUERA-
OCHOA

As the Court found on May 24, 2007, and for the reasons stated above, the Court finds good cause, taking into account the public interest in prompt disposition of criminal cases that time should be excluded from the Speedy Trial Act calculations from May 24, 2007 to June 21, 2007 for effective preparation of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: May 30, 2007


Jeffrey S. White
United States District Court Judge